

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,	*	
	*	
Plaintiff,	*	Criminal No. 99-315 (DRD)
	*	
v.	*	
	*	
LOURDES NIEVES VARELA	*	
	*	
	*	
Defendant	*	
	*	

**MOTION FOR CONTINUANCE OF PRELIMINARY HEARING
AS TO SUPERVISED RELEASE VIOLATIONS**

TO THE HONORABLE MAGISTRATE JUDGE MARCOS E. LOPEZ:

COMES NOW the defendant, Lourdes Nieves-Varela, by and through the undersigned attorney, and respectfully states and prays as follows:

Earlier this week, the undersigned was informed that she had been assigned to represent the appearing defendant at a hearing for revocation of her supervised release term. I was further informed that I would be notified as to the date of the hearing since it was being referred to a different magistrate judge.

This afternoon, the undersigned received a telephonic communication from the defendant who indicated that the date of the hearing was scheduled for this coming Monday; that is one and one half working days from this date. The undersigned had no idea that the hearing had been scheduled. I requested that the defendant come to my office this afternoon, but she indicated that she could not come to the undersigned's office since she was at the hospital receiving treatment for a fall.

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It appears that the defendant fell from the upper bunk of a bed while she was incarcerated recently at MDC Guaynabo.

The undersigned also called the U.S. Probation Officer Bonilla so that he could provide further information as to the matter pending before this court and he was not in the office today. Thereafter, the undersigned called the court and requested copy of all related documents so that she could become familiarized with the case.

The undersigned would like to have the opportunity to interview the defendant and discuss the matter with the probation officer. Moreover, it is my understanding that the defendant has mental health issues the extent of which the undersigned has little knowledge.

Moreover, the undersigned has a deposition scheduled for June 18, 2007, at 10:00 a.m.

Based on all of the foregoing, it is respectfully requested that the hearing be scheduled for June 20th or 21st at any hour and at the court's convenience.

Therefore, it is respectfully requested that this Honorable Court **GRANT** the present motion and continue the hearing on the matter of revocation of supervised release for any of the dates suggested herein and at the court's convenience.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY: that a true and correct copy of this motion was electronically filed using the CM/ECF system which will provide notification to AUSA José Capó-Iriarte and Probation Officer Benjamin Bonilla.

In San Juan, Puerto Rico on this 14th day of June 2007.

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